

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE AUTOMOBILE)	
MECHANICS LOCAL NO. 701 UNION AND)	
INDUSTRY PENSION FUND,)	
)	
Plaintiffs,)	
)	No. 09 C 3372
v.)	
)	Judge Leinenweber
R & R FLEET MAINTENANCE, INC.,)	
)	Magistrate Judge Mason
Defendant.)	

MOTION FOR ENTRY OF DEFAULT JUDGMENT IN SUM CERTAIN

Plaintiffs, Trustees of the Automobile Mechanics' Local No. 701 Union and Industry Pension Fund, by their attorneys, Hugh B. Arnold, Steven F. McDowell and Arnold and Kadjan, move for entry of a Judgment in Sum Certain against Defendant, R & R Fleet Maintenance, Inc., and all other members of the R & R Fleet Maintenance Control Group. In support of this Motion, Plaintiffs state:

1. Plaintiffs filed their Complaint herein on June 4, 2009.
2. Pursuant to return of service previously filed with the Court, Defendant, R & R Fleet Maintenance, Inc., was properly served on July 2, 2009.
3. Defendant, R & R Fleet Maintenance, Inc., together with all other members of the R & R Fleet Maintenance Control Group, has failed to appear or answer within the time period allowed by law.
4. On October 7, 2009 this Court found Defendant, R & R Fleet Maintenance, Inc. in default and ordered that a prove-up hearing be held on October 21, 2009.

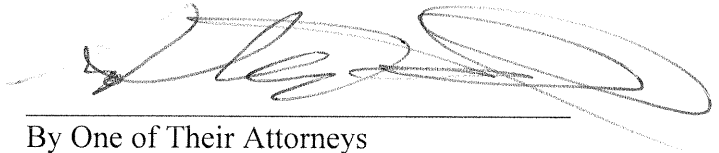
5. The Affidavit of Donald H. Alcott, Fund Manager of the Plaintiffs, attached as Exhibit 1, establishes that Defendant, R & R Fleet Maintenance, Inc., including all members of the R & R Fleet Maintenance, Inc. Control Group, owes withdrawal liability in the amount of \$30,613.00 and interest in the amount of \$1,975.17, for a total amount of withdrawal liability and interest of \$32,588.17.

6. Pursuant to the Affidavit of Steven F. McDowell, attached as Exhibit 2, costs of \$350.00 have been incurred, together with attorney's fees of \$780.00 for the preparation of the Complaint, preparation and attendance at a Status Hearing and preparation of this Motion, for a total of fees and costs of \$1,130.00.

7. Based upon the representations set forth in paragraphs 4 and 5, judgment is sought in the amount of \$33,718.17.

WHEREFORE, Plaintiffs pray that this Court enter a default judgment in the amount of \$33,718.17 in favor of Plaintiffs and against Defendant, R & R Fleet Maintenance, Inc., including all members of the R & R Fleet Maintenance Control Group.

TRUSTEES OF THE AUTOMOBILE
MECHANICS' LOCAL NO. 701 UNION
AND INDUSTRY PENSION FUND



By One of Their Attorneys

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